



## MEMORANDUM

DATE: December 13, 2013

TO: Mayor deVera and City Council Members  
City Employees and Members of the Public

FROM: Steve Duran, City Manager

SUBJECT: City Manager's Weekly Report

### MEETING SCHEDULE

Date and Time	Event	Location
<b>Monday, December 16, 2013</b> 6:00 p.m. – Closed Session	City Council Special Meeting ( interviews)	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>Tuesday, December 17, 2013</b> 6:30 p.m. – Closed Session 7:00 p.m. – Open Session	City Council Special Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>Monday, January 6, 2014</b> CANCELLED	Planning Commission Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>Tuesday, January 7, 2014</b> 6:30 p.m. – Open Session	City Council Special Meeting (Rules of Procedure)	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547

### CITY OFFICES CLOSED FOR HOLIDAYS

City offices will be closed December 23, 2013 through January 1, 2014. Enjoy the Christmas – New Year break!

### RELIEF FOR THE PHILIPPINES

The Hercules Police Explorers have joined with other not-for-profits, the Phil-Ams, Lions and Rotary to put on a fund raiser for Philippine typhoon relief. It will be a pasta feed on Sunday, December 15<sup>th</sup> at 5:00 p.m. at the Community Center. Tickets are \$20 and available from the organizations sponsoring the event. Also, donations can still be made through:

**Typhoon Relief – American Red Cross**  
**1663 Market Street**  
**San Francisco, CA 94103**

On the bottom of your check, make sure to write “Typhoon Appeal.”

### **WESTCAT’S ANNUAL STUFF-A-BUS HOLIDAY DONATION DRIVE**

WestCAT invites you to join representatives from the Western Contra Costa Transit Authority (WestCAT), California Highway Patrol, and MV Transportation at one of our annual Stuff-A-Bus holiday donation drives to be held in the Cities of Pinole and Hercules. This year, WestCAT hopes to help more people by including the CHP’s “Chips for Kids” holiday toy drive. They will continue to run the food drive for the Food Bank of Contra Costa & Solano, and coat drive for Mission Solano in conjunction with the toy drive. So it’s time to clear out your pantry, closet, or maybe even do a little toy shopping! Toys must be new and unwrapped. Food must be non-perishable; a list of acceptable items is available at [www.foodbankccs.org](http://www.foodbankccs.org). Coats may be new or used, but should be clean and in good condition (all sizes are accepted). Monetary donations are also accepted.

WestCAT, in coordination with the California Highway Patrol, MV Transportation, and the Food Bank of Contra Costa & Solano will be accepting donations on Thursday, December 12 from 10:00am-4:30pm at the Safeway grocery store parking lot located at 1421 Tara Hills Dr., Pinole and on Friday, December 20 from 10:00am-4:30pm in the Lucky Supermarket parking lot located at 1590 Sycamore Ave, Hercules. Donations will also be accepted at our WestCAT office from now until-12/23/13, 601 Walter Ave., Pinole, from 7:30am -6:00pm, Monday-Friday. Enter for a chance to win a \$40 local 31-day bus pass when you drop off your donation.

For more information about this event or any other of WestCAT services, visit [www.westcat.org](http://www.westcat.org) or call (510) 724-3331. For information about the Contra Costa and Solano Food Bank visit [www.foodbankccs.org](http://www.foodbankccs.org).

### **HOT GARLIC CRAB FEED**

The annual Hot Garlic Crab Feed is set for January 18, 2014. Purchase your tickets now. Come and experience this wonderful Hot Roasted Garlic Crab Feed! The Crab Feed includes hot roasted garlic crab, pasta, and salad. Help support the Hercules East Bay Silver Dolphins and Hercules Piranhas Swim Teams. Enjoy an evening filled with dinner, dancing, and fun

### **PLANNING UPDATES**

**Measure J Local Street Maintenance & Improvement Funds.** Measure C was approved in 1988 as a ballot measure to authorize a half-cent sales tax increase for gasoline sales in Contra Costa County. The funds raised with this special tax have been used for road, highway, and transportation infrastructure maintenance and improvements within Contra Costa County. Measure C expired on March 31, 2009, but Measure J (approved by voters in November 2004)

extended the half cent sales tax until the year 2034. By demonstrating every two years to the Contra Costa Transportation Authority (CCTA) compliance with the Measure J Growth Management Program through approval of a Compliance Checklist, the City ensures its ability to receive its share of Measure J Return-to-Source gas tax dollars (Local Street Maintenance and Improvement Funds). For Fiscal Years 20011–12 and 2012–13, these funds amount to \$348,717 and \$356,605, respectively. On Tuesday, December 2, staff presented the City’s Compliance Checklist for FY 2011–12 & FY 2012–13 to CCTA’s Citizen’s Advisory Committee, which voted unanimously to recommend approval of the City’s compliance with Measure J. The CCTA Board will consider Hercules’ compliance at its meeting on January 15. Approval will ensure the City receives its approximately \$705,000 share of Measure J local street maintenance & improvement funds.

**Meeting cancelled.** Please note in the weekly report that Monday’s Planning Commission meeting (Dec. 16) is cancelled.

## **REAL ESTATE PROJECT UPDATES**

**Victoria Crescent:** The proposed residential development by City Ventures at the approximately 6.5 acre Victoria Crescent site on San Pablo Avenue was approved by the Planning Commission on December 2, and is scheduled for City Council consideration on December 17.

The state Department of Finance (DOF) has approved the \$2,125,000 sale of the 6.5 acre Victoria Crescent site to City Ventures, as well as the \$5,000,000 sale of the 11.5 acre Sycamore Crossing site to Safeway subsidiary Property Development Centers and the \$8,000,000 sale of the approximately 17 acre Parcel C on John Muir Parkway to Lewis Land Developers. Sale of these former Redevelopment Agency sites is required under the legislation that dissolved redevelopment agencies statewide is also necessary for the payment of a Redevelopment Agency debt to redevelopment bond insurer Ambac and other debts of the Agency.

### **Sycamore North:**

Presidio Development Partners, which is in contract on the property, proposes the “Towne Centrale” project as mixed-used with approximately 140 apartments, four live-work units, and approximately 12,000 sq. ft. of ground-floor retail space.

**“R Alley” Issue.** Originally, the Buyer was to have negotiated an easement agreement with the Bayside Home Owners Association. The Buyer, however, was not successful in obtaining the necessary easement from the Bayside Home Owners Association and has asked the City to assist with this matter. In March of 2013, the City commenced a discussion with the Bayside HOA for acquisition of a public right of way on “R Alley” in order to provide emergency access to the project and to allow for the issuance of encroachment permits for construction and maintenance. The City was unable to get the HOA to negotiate a reasonable agreement and has pursued an eminent domain action that is proceeding through the court process. The HOA has recently hired real estate counsel in this regard and settlement negotiations are in progress.

## MUNICIPAL SERVICES

### Building Activity:

- Number of permits issued-----27
- Building permit fees collected-----\$6925.00
- Number of inspections----- 17
- Code Enforcement inspections-----1

### Sewer Lateral Inspection Program:

- Number of application received: 4
- Lateral Inspection Fees Collected:\$500.00
- Number of Certifications issued:3
- Number of Deficiency Notices issued: 2
- Number of Condominium Waivers issued: 3

### Other Activities:

- Wide Load/Transportation Permits Issued: 0
- Encroachment Permits Issued: 3
- ITC SF Bay Trail Project No. 63001A, Construction in progress.
- West Bay Trail – Site Preparation Project 63001F– Project completion.
- Staff continues to meet with Siemens to ensure we receive our promised energy savings as outlined in their contract. Siemens has not been responsive and staff is now looking at alternative means of replacing the pool heater.
- Pavement Maintenance Project –Drafting bid documents for spring pavement rehabilitation project.
- Staff has submitted the State Revolving Loan Fund Application for the Pinole/Hercules Wastewater Treatment Plant Upgrade.
- Staff continues to meet with Recyclemore and Richmond Sanitary regarding collection and post-collection contracts. The franchise amendment was approved at the November 26, 2013 meeting.
- Staff continues to work with Ducks Unlimited on Chelsea Wetlands Restoration Project. An RFP was issued for the work and awarded to WRA. Work will commence in approximately six months. Staff continues to meet and have included Contra Costa Flood Control in the discussions. Permits will need to be obtained through them to move forward.
- Staff continues to work on the Long-term Trash Reduction Plan.
- Staff repaired numerous street lights within the City.
- Staff is scheduling the work for re-lamping the high lights in the library.
- Sidewalk repair project has been completed at numerous locations throughout the City.
- Staff is working on Quotes for Sidewalk repair project.(work completed)
- Drinking fountain at Duck Pond Park was damaged by freezing temperatures and repaired by staff.
- Backflow device in Aster Court damaged by freezing temperatures.
- Street light at San Pablo and Hercules Ave knocked down by traffic accident. Scheduled for replacement.

**Hercules Municipal Utility Activities:**

- Visual Inspection(s) = 98
- Meter Read(s) = 6
- Meter Reinstall(s) = 1
- Meter Pull(s) = 1
- Post Red Tag(s) = 2
- Pump Vault(s) = 1
- Inspection(s) = 5
- Spray Paint Removal = 0
- Clean and correct enclosure ID numbers at two locations

**PARKS AND RECREATION UPDATES**

Currently the Park & Recreation Department offers a wide variety of recreation classes and programs that cater to all ages and help to promote a healthy lifestyle. The classes & programs provide a great opportunity to have fun and exercise while interacting with others in a safe environment. You can go online to [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) to get more information or to register for classes.

- Parks & Recreation Activity Guide got delivered to household this past weekend.
- The Holiday Tree Lighting this past Sunday, December 8, 2013 from 5:00pm-7:00pm at the Community/Swim Center was a huge success, we had around 300 in attendance, and they were able to enjoy refreshments, entertainment and a visit from Santa.
- The Hercules community members and non-profits organizations have put on a fund raiser event for the Philippines Typhoon Relief for Sunday December 15, 2013 at the Community/Swim Center. The tickets are \$20.00. For more information or tickets call 510-724-2100.

**Seniors/50+:**

Come to the Senior Center Programs to enjoy: CC Café, Art Class, Card Club, Ping Pong, Tai Chi, Zumba Gold, Low Impact Exercise Classes, Dance Club, and a Hula Dance. Become a Member for \$20.00, your membership gives you access to over 30 classes and programs at a discounted rate.

<b>Program Attendance</b>	<b>Monday 12/8</b>	<b>Tuesday 12/9</b>	<b>Wednesday 12/10:</b>	<b>Thursday 12/11</b>	<b>Friday 12/12</b>	<b>Grand Total</b>
<i>Tai Chi</i>	22	6			25	
<i>Art</i>		5				
<i>Lunch</i>	25	29	30	25	45	
<i>Computers</i>	4	3	3	2	4	
<i>Tap</i>		5				
<i>Ballroom Dance</i>		4				
<i>Zumba</i>			20			
<i>Beads &amp; Things</i>						

<i>Blood Pressure</i>						
<i>Senior Citizens club</i>			75		35	
<i>Therapeutic Exercise</i>			10			
<i>Chi Kong</i>			12	16		
<i>Bingo</i>				10		
<i>Cards</i>	5			5		
<i>Advance Tai Chi</i>					13	
<i>Low Impact Exercise</i>	15				15	
<i>Goodie Store</i>					23	
<i>Hula</i>						
<i>Fruit and Veggie Distribution</i>						
<b>Total</b>	<b>71</b>	<b>52</b>	<b>87</b>	<b>58</b>	<b>81</b>	<b>400</b>

**Aquatics:**

- **HOT GARLIC CRAB FEED!!!**

JANUARY 18, 2014 PURCHASE YOUR TICKETS NOW. Come and experience this wonderful Hot Roasted Garlic Crab Feed! The Crab Feed includes hot roasted garlic crab, pasta, and salad. Help support the Hercules East Bay Silver Dolphins and Hercules Piranhas Swim Teams. Enjoy an evening filled with dinner, dancing, and fun

- **Lap Swim:**

Monday-Friday- 6-7pm

Ages: 14+

Fees: Resident- Youth & Senior \$4/ Adult \$5

Non-Resident- Youth & Senior \$5/ Adult \$6

- **EBSD Fall Seasonal Membership: 23 Enrolled**

Ages: 5-18

Dates: 9/30/13-12/20/13

Registration Fee: \$295

USA Registration Fee: \$55 (check made payable to EBSD)

- **EBSD Year Round Membership- 77 Enrolled**

Dates: 10/1/12-9/31/13

USA Registration Fee: Year Round Swimmer \$80 (made payable to EBSD)

Code: 52200-G-L

Spinners: M-TH, 6:30-7pm, \$66

Intermediate: M-F, 5-6:15pm, \$83

Advanced: M-F, 5-6:30/7pm, \$94

- **Winter Swim- *4 Enrolled***

Dates: 11/12/13-2/7/14

Code: 52201-Q

Days: Monday-Friday

Times: 5-6:30pm

Registration Fee: \$270

- **High School Swim Team Conditioning:**

Ages: 14-18 years

Dates: 1/6/14-1/31/14 (M-F)

Times: 5-6:30pm

Fees: \$100

**Parks & Recreation Activity Guide & Banner Programs:** We are accepting applications to advertise in the next edition of the Parks and Recreation activity guide which will come out in March 2014. For the Banner Program we have a few spots open for January 2013. If you have specific questions feel free to give Andrea Mendez a call at (510) 799-8290 or email [amendez@ci.hercules.ca.us](mailto:amendez@ci.hercules.ca.us).

**Licensed Before & After School Child Care and Seasonal Camps:** Sign up for Child Care, please make sure to register early so you get your space. For more information please call 245-4803.

What are the benefits of our licensed programs?

- Provides a safe and nurturing environment
- Provides qualified and matured staff
- All lead Staff have training in school age programming through accredited colleges
- Provides a 1 staff to 14 ratio, not to exceed 28 children per classroom
- All staff have passed a Livescan/Background check
- Currently we have 55 participants registered at Hanna, 31 at Lupine and 32 at Ohlone Child Cares

**Teens:** Our goal is to provide programming that will foster human development, promote health and wellness, and increase cultural unity with life experiences. As our youth grow into teens, we want to give them a sense of belonging to the community and ownership. Come out and enjoy the programs and activities at the new Teen Center "T.H.E. S.P.O.T." (Teens of Hercules Empowering through Spirit, Perseverance, Outreach, & Teamwork) located at 2007 Refugio Valley Road. Sign up for the Fall SPOT Before and After school program.

- **Winter Wonderland Workshop-** Activities will include: arts and crafts, story time, meeting Santa, creating your own gingerbread house, and a canned food/toy drive. Pre-register online for Winter Wonderland at [www.herculesrec.com](http://www.herculesrec.com)  
For more information please call: (510) 799-8291

**Facilities:** Are you looking for a hall to rent to hold a meeting, party, wedding reception, graduation, birthday, retirement or baptisms? Check out our many facilities we have to offer by going online to [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) or call 799-8291 for more information.

**Sports:** We offer sports and other positive leisure activities for patrons of all ages. Our recreational programs help promote a healthy lifestyle, while providing an environment in which people can enjoy themselves. Whether it is recreation team sports you are seeking, or an individual leisure activity/hobby, the City of Hercules is proud to offer it.

- Taking signups for the next 10-13 years Elementary Basketball League in January.

**Tiny Tots & Little Learners:** A great introduction to your child's "First Learning Experiences". They will have fun making their first school friends, learning through play, games, arts, crafts, and healthy snacks. Our loving and qualified staff will guide them with socialization and self-help skills. Children have so much fun, they do not realize they are learning! Our program runs along with the school year from September-June. Come see what keeps our children smiling! Children must be completely toilet trained.

- Tiny Tot program has a 5 day Jr. Kindergarten program, A MWF Pre K program and a T/TH Little Learner which are all full!

**Recreation Classes:** We are now taking registration for many new and exciting recreation classes that cater to all ages and helps to promote a healthy lifestyle. Our classes provide a great opportunity to have fun while interacting with others in a safe environment. You can go online to [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) to get more information or to register for classes.

## **WEEKLY POLICE REPORT – Week ending December 12, 2013**

**Residential Burglary:** On December 5, 2013, at about 11:43am, officers responded to the 100 block of Lilac Circle to investigate a report of an attempted residential burglary. The resident advised officers someone knocked at the door several times in addition to ringing the doorbell. The resident believed it was a solicitor and did not answer, but looked out of his upstairs window. He did not see anyone at the door. The resident looked towards the street and saw vehicle (newer model Ford Taurus 4D Silver), parked in front of his house, occupied by two males. The vehicle was seen driving away on Hollyhock Ct; but the passenger was no longer in the vehicle. The vehicle circled the block a couple more times before the resident decided he didn't need to look outside any longer. The resident then heard his wife yell that someone was trying to open the front door at which time he looked outside to see a an African American male, mid 20's, 5'08", 190lbs, wearing a gray hooded sweatshirt and dark pants prying at his door with a large crowbar. The resident yelled at the suspect who fled on foot. The resident chased after the suspect and saw him get into the vehicle he saw earlier. The vehicle fled. in an unknown direction, on Violet Rd.

**CRIME PREVENTION TIP: If someone you do not know knocks on your door, or rings the bell. Do not open the door, but let them know you are inside. Most burglaries are**

**crimes of opportunity and the criminals are looking for unoccupied homes. If you are not at home leave a radio or TV on so it seems like there is someone inside.**

**Contributing to the Delinquency of a Minor:** An adult male was seen transporting two students, from the Hercules Middle High School, to Overlook Terrace and Ridgepointe. They met with other truants, from the school, to smoke marijuana the adult male had in his possession. 19 year old Daljit Kamal Singh, of Hercules, was arrested for Possession of Marijuana; and Contributing to the Delinquency of a Minor. Singh was cited and released at the scene. All students were returned to the school.

**Prisoners Pick-Up and Transport:**

1. On December 6, 2013, 21 year old Perry Pernell Thomas Jr. of Stockton was picked up from San Joaquin County Jail on a \$5000 misdemeanor warrant. The warrant was for a case from this agency. He was transported to the Martinez Detention Facility.

2. On December 6, 2013, 26 year old Raymond Ivan Hernandez, of San Pablo, was picked up from Santa Rita Jail on a no bail felony warrant for a case from this agency.

**Found Property:** On December 6, 2013, at 3:18pm an officer recovered a purse from the manager at the shell gas station, on San Pablo Ave. It was left there weeks ago. The Purse contained personal items and ID's for the owner. The purse was placed into found property.

**Possession of a Burglary Tool:** On December 6, 2013, an officer conducted a pedestrian stop in the 1100 block of Williams. 29 year old Irene Marie Vargas was determined to be on searchable probation, out of Contra Costa County. Vargas was associated with a silver 2001 Acura CL, which is registered to her. During a probation compliance check, a crowbar was located in the back seat of the vehicle. Vargas was arrested for Possession for Burglary Tool. She cited for and released.

**Possession of a Control Substance:** On December 6, 2013, 8:21 pm, officers were dispatched to Circle K, in the 800 block of Willow Ave for a report of a male subject, who had been in the restroom for over thirty minutes. The adult male contacted and was in possession of the substance, believed to be controlled, and glass pipe. The male was arrested for Possession of a Controlled Substance. He was later released pending further investigation.

**Domestic Violence/ Warrant:** On December 7, 2013, at 12:42 am, officers were dispatched to the bowling alley, 1580 Pinole Valley Rd. for a report of a domestic violence incident, which occurred in the 100 block Devonwood, in Hercules. Officer talked the male half of the incident. He stated he and his wife had a verbal argument at their residence. He said that his wife charged him and scratched his neck. 37 year old Percy Jackson was determined to have a \$5,000 warrant for driving under the influence. He was arrested and transported to the Martinez Detention Facility. Officers contacted the wife, who denied any physical altercation took place at their residence. Mr. Jackson did not want prosecution. A case was taken for domestic violence.

**Theft by False Pretense:** On December 7, 2013 a resident from the 1000 block of Waverly Cir. reported being a victim of a scam. The reporting party said he saw an internet job announcement,

for an at-home receptionist/office assistant position and he responded to it. Soon thereafter he received a Citibank check to cover the cost of equipment and material needed for the position. He was instructed to deposit the check into his own bank account, then withdraw the funds and re-deposit into the “vendor’s” account (at another bank) to cover the cost of the equipment and material. The victim’s bank released the funds the same day he deposited the check. The victim then deposited the money into the “vendors” account. The victim received another check, for \$4,999 a higher amount, with the same instruction. Because of the amount the victim’s bank did not immediately release the funds. In the time it took the second check to clear, the first check was determined to be fraudulent. The second check was also fraudulent. The victim’s bank is holding him responsible for the amount of the first check and has taken action to recoup the money from the victim’s account.

**CRIME PREVENTION TIP:** Scam arrests will often send people checks (“you just a lottery; I am going to buy your E-Bay item; I am hiring you to do a job and here is seed money); then ask that the person send a portion of the check to them or someone else (for taxes on the lottery; transportation expenses; or for supplies; etc). **When someone wants you send them money back it is almost always a scam; do not do it.**

**Petty Theft:** On 12/7/13, at about 5:04 PM, an officer was dispatched to the 100 block of Pearce Rd. The reporting party stated she had been the victim of a theft, which occurred in the Lucky parking lot. The reporting party said she parked her 2003 Jaguar, unlocked, in the parking lot of Lucky on 12/7/13, at about 4:00 PM. When she returned to her vehicle, at about 4:20 PM, she found some of her personal items on the ground. When she opened the door she found that her Disabled Placard and I sheet of postage stamps were missing.

**Residential Burglary PC 459:** On December 7, 2013 at 10:07 PM a resident, from the 800 block of Dover, reported his home was burglarized between 8:00 and 10:00 PM. Entry was made by shattering a rear window with a flower pot. The Suspect(s) took a sleep apnea machine and a brief case containing documents.

**False Registration Tab – Towed Vehicle:** On December 8, 2013 at 3:28 p.m. an officer stopped a Tan '84 Toyota Camry, on Sycamore Ave. near Civic Dr, for expired registration (September 2012) and for having a false 2014 year tab. The 2014 year tab was found to be a counterfeit tab. The adult male driver, of San Pablo, was cited and released. The Camry was towed

**Mental Health Evaluation:** On December 8, 2013 at 9:24 PM Hercules units were dispatched the 100 block of Wadi Run for an out of control male juvenile. Officers contacted an intoxicated male juvenile, arguing with his parents. The juvenile stated that he wanted to hurt family members. He was determined to meet the criteria for a Mental Health Evaluation. He was transported, by ambulance, to the County Regional Health Center

**Vandalism:** On December 9, 2013 at 1:40 AM a Hercules resident called HPD to report two Hispanic males dressed in all black damaged two large planters and a statue on his porch before running away. An area check was conducted and no subjects were located.

**Warrant Arrest:** On December 10, 2013 at 1:10 p.m. an Officer saw a Gray '07 Chevy Malibu parked in front of 100 Brighton St. The Malibu was registered to person the Officer knew to have warrants in the past. The Officer checked the registered owner for warrants and found she had an outstanding \$25,000 Misdemeanor no cite Warrant for traffic offenses out of Santa Clara County. When the officer saw the Malibu, leave the area, he stopped the vehicle on S/B Willow Ave. at SR-4. 33 year old Alicia Hamilton of El Sobrante was the right front passenger and was arrested for the warrant. She was transported to the Martinez Detention Facility.

**Stolen Vehicle:** On December 11, 2013 at 12:03 pm an officer was dispatched to the 100 block of Linus Pauling for a stolen a vehicle report. An employee reported he parked his car at 6:45 am and at 12:00 pm he noticed his white 1991 Honda Prelude (2WEG469) was gone. Surveillance video shows the suspects coming from a white Dodge Durango at 11:50 am. Distinctive markings on the victim vehicle are: a soccer ball sticker on the driver's side, an American Flag sticker on the passenger side, and a SJSU sticker on the rear window.